THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.9891 OF 2005

DATED 26th OCTOBER, 2006

BETWEEN

K.Doraswami Naidu

… Petitioner

and

The District Collector, Chittoor, Chittoor District and others.

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.9891 OF 2005

ORDER:

The petitioner is resident of Kanikapuram village of Sree Rangaraja Puram Mandal in Chittoor District. He made a representation to the third respondent, namely, the Mandal Revenue Officer (MRO), Sree Rangaraja Puram Mandal, seeking assignment of land admeasuring Acs.1.63 cents in survey No.289/1 and Acs.0.21 cents in survey No.289/2 A in his favour or in favour of his children. As the same was not disposed of, he filed the present writ petition. As the petitioner alleged that he raised mango tope in the land and there is likelihood of dispossessing the petitioner, this Court while admitting the writ petition passed interim orders on 27.04.2005 in W.P.M.P.No12866 of 2005 directing the respondents not to dispossess the petitioner without following due process of law.

The Mandal Revenue Officer filed counter affidavit denying the allegation of the petitioner that he is in possession of the land and raised mango tope. The MRO, however, does not dispute that the application made by the petitioner on 19.02.2004 is still pending. Therefore, it would be proper to direct the third respondent to consider the application made by the petitioner and pass appropriate orders in accordance with the latest Assignment Rules and also after satisfying whether the petitioner is eligible for such assignment. The submission made by learned Assistant Government Pleader that the petitioner is already assigned land admeasuring Acs.4.79 cents in survey No.289/2B and that he is not in possession of the land in survey No.289/1 and 289/2A is also recorded.

The writ petition is therefore disposed of directing the third respondent to pass appropriate orders on the representation, dated 19.02.2004 made by the petitioner within a period of four weeks from the date of receipt of copy of this order. Till then, there shall be *status quo.*

The writ petition is accordingly disposed of. No costs.

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(V.V.S.RAO,J)

26.10.2006.

pln